

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ANTOLIN ANDREW MARKS,  
Plaintiff,

v.

UNITED STATES OF AMERICA *et al.*,  
Defendants.

Case No. C06-5696BHS

ORDER

This Bivens action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4. The case has recently been reassigned to the Honorable Judge Settle.

Mr. Marks now litigates under a sanction as a result of improper filings. As part of that sanction documents filed by Mr. Marks are submitted under seal for court review. Mr. Marks has filed two documents since entry of the last order (Dkt. # 53 and 54). Dkt. # 53 is a second motion for default and a motion to strike defendants answer. A Report and Recommendation to deny default is pending. **Dkt. # 53 is now UNSEALED.** The motion is noted for December 14, 2007.

Dkt. # 54 is an answer to defendants counterclaim. **Dkt. # 54 is now UNSEALED.**

The clerk's office is directed to send copies of this order to plaintiff and counsel for defendants.

DATED this 6 day of December, 2007.

/S/ J. Kelley Arnold  
J. Kelley Arnold  
United States Magistrate